

**JUDGE CROTTY**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: AUG 13 2009  
DATE FILED: 09CRIM 769

UNITED STATES OF AMERICA

: INDICTMENT

-v.-

EDWIN SEGARRA,

Defendant.

:

**09CRIM 769**

-x

COUNT ONE

The Grand Jury charges:

1. From at least in or about 2006 up to and including in or about 2008, in the Southern District of New York and elsewhere, EDWIN SEGARRA, the defendant, and others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate, and agree together and with each other to commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and would and did thereby obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, SEGARRA, and others known and unknown, agreed together to rob suspected drug dealers of narcotics and narcotics proceeds.

Overt Acts

2. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others,

were committed in the Southern District of New York and elsewhere:

a. On or about May 17, 2007, EDWIN SEGARRA, the defendant, together with others known and unknown, robbed an individual in an apartment located at 115 West 172nd Street, Bronx, New York, of narcotics-related proceeds.

b. In or about late 2007 or early 2008, EDWIN SEGARRA, the defendant, together with others known and unknown, attempted to rob an individual in an apartment located in Queens, New York, of narcotics and narcotics-related proceeds.

(Title 18, United States Code, Section 1951.)

COUNT TWO

The Grand Jury further charges:

3. From at least in or about 2006 up to and including in or about 2008, in the Southern District of New York and elsewhere, EDWIN SEGARRA, the defendant, unlawfully, willfully, and knowingly, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the robbery conspiracy charged in Count One of this Indictment, did use and carry firearms, and, in furtherance of such crime, did possess firearms, and did aid and abet the use, carrying, and possession of firearms, which were brandished during the robbery conspiracy charged in Count One of this Indictment.

(Title 18, United States Code, Sections 924(c)(1)(A)(ii) and 2.)

COUNT THREE

The Grand Jury further charges:

4. From at least in or about 2006 up to and including in or about 2008, in the Southern District of New York and elsewhere, EDWIN SEGARRA, the defendant, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

5. It was a part and an object of the conspiracy that EDWIN SEGARRA, the defendant, and others known and unknown, would and did distribute and possess with the intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

6. The controlled substances involved in the offense were: (1) five kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(A); and (2) one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(A).

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION

7. As a result of committing the Hobbs Act robbery conspiracy in violation of 18 U.S.C. § 1951, alleged in Count One of this Indictment, EDWIN SEGARRA, the defendant, shall forfeit

to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of said offense.

8. As a result of committing the controlled substance offense alleged Count Three of this Indictment, EDWIN SEGARRA, the defendant, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds he obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count Three of this Indictment including but not limited to a sum in United States currency representing the amount of proceeds obtained as a result of the offense.

Substitute Assets Provision

9. If any of the forfeitable property described in paragraphs 7 and 8 of this Indictment, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;

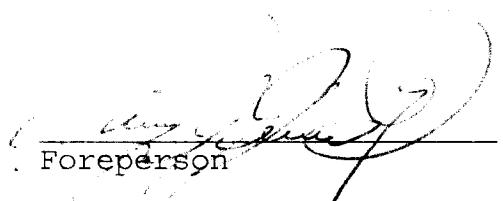
c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value;

or

e. has been commingled with other property which cannot be subdivided without difficulty;  
it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981,  
Title 28, United States Code, Section 2461,  
Title 18, United States Code, Section 1951, and  
Title 21, United States Code, Sections 841(a)(1) and 853.)

  
Foreperson

  
LEV L. DASSIN  
Acting United States Attorney

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SOUTHERN DISTRICT OF NEW YORK

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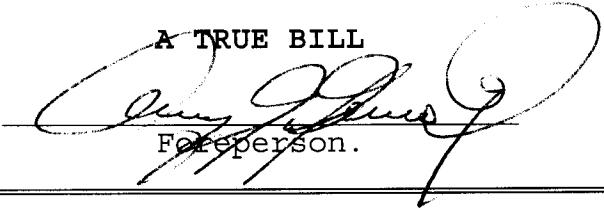
INDICTMENT

09 Cr.

(18 U.S.C. §§ 924(c)(1)(A)(ii), 1951 and 2; 21 U.S.C. § 846)

LEV L. DASSIN  
Acting United States Attorney.

A TRUE BILL

  
Foreperson.

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Indictment filed, case assigned  
to Judge Crotty, arrest warrant  
issued

J. Meas, 45M